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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. 3:12-MJ-70293
)	
- v. -)	
)	STIPULATION AND [PROPOSED]
MARIO OCHOA-GONZALEZ,)	ORDER
)	
Defendant.)	
)	

The United States of America, by its attorneys, Melinda Haag, United States Attorney, and W.S. Wilson Leung, Assistant United States Attorney, of counsel, and defendant Mario Ochoa-Gonzalez, by his attorney, Peter Goodman, Esq., respectfully submit this stipulation and proposed order to request that the May 17, 2012 preliminary hearing in the above-captioned matter be continued until June 27, 2012.

The parties hereby stipulate and agree to the following:

1. Defendant Mario Ochoa-Gonzalez was charged in a criminal complaint dated March 13, 2012, with violating Title 21, United States Code, Sections 846 and 841(a)(1) and (b)(1)(B), and Title 18, United States Code, Sections 924(c) and 2. Ochoa-Gonzalez was arrested

1 and subsequently presented before the Honorable Nathanael M. Cousins on March 15, 2012.
 2 Ochoa-Gonzalez waived his right to seek bail without prejudice to any future bail application.

3 2. At Ochoa-Gonzalez's initial appearance, he was represented by Steven Kalar,
 4 Esq., of the Federal Public Defenders. Since his initial appearance, Mr. Kalar and the
 5 Government attempted to resolve this matter prior to the filing of an indictment. However, on
 6 April 16, 2012, due to a conflict, Mr. Kalar withdrew as counsel for Ochoa-Gonzalez and Peter
 7 Goodman, Esq., was substituted as counsel.

8 3. Since Mr. Goodman's appointment, the parties have continued their plea
 9 discussions. The parties, however, have not yet reached a disposition and require additional time
 10 to continue their discussions. Accordingly, the parties respectfully request that the May 17, 2012
 11 preliminary hearing be continued until June 27, 2012, in order to allow the parties to pursue their
 12 plea discussions. Should this request be granted, the parties submit that time should be properly
 13 excluded under the Speedy Trial Act until the June 27, 2012 in the interests of justice and to
 14 ensure the effective assistance of counsel.

15 DATED: May 14, 2012

16 SO STIPULATED.

MELINDA HAAG
 United States Attorney

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 19 By: /s/
 W.S. WILSON LEUNG
 Assistant United States Attorney

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 21 /s/
 PETER GOODMAN, ESQ.
 Counsel for Mario Ochoa-Gonzalez

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 23 FOR THE FOREGOING REASONS, IT IS HEREBY ORDERED THAT the May 17,
 24 2012, preliminary hearing in the above-captioned matter is continued until June 27, 2012, and
 25 time under the Speedy Trial Act shall be excluded through June 27, 2012.

26 DATED: May 15, 2012

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 28 HON. JOSEPH C. SPERO
 Chief United States Magistrate Judge

